

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

J & J Sports Productions, Inc.,	:	
	:	
Plaintiff,	:	CASE NO. 1:16-cv-00890
v.	:	
Charesse Hill, et al.,	:	BARRETT, J.
	:	
Defendants.	:	

JUDGMENT AGAINST DEFENDANT DARRIS STORMS

This matter is before the Court on Plaintiff's Motion for Default Judgment (Doc. 25).

I. LIABILITY

Defendant Darris Storms was served with the Summons and Complaint by personal service on March 14, 2017. (Doc. 20). To date, Defendant Darris Storms has failed to file an answer, motion or other responsive paper, or otherwise make an appearance as required by Federal Civil Rule 12. On May 10, 2017, the clerk docketed an entry of default as to Defendant Storms. (Doc. 22). Therefore, pursuant to Federal Civil Rule of Procedure 55, Plaintiff is entitled to default judgment as to liability.

II. DAMAGES

Plaintiff's Complaint alleges violations of 47 U.S.C. § 605 and 47 U.S.C. § 553. Plaintiff has provided the Court with documentary evidence and affidavit testimony sufficient to determine the appropriate amount of damages. (Doc. 25-1). The documentation supports Plaintiff's requests of: (A) statutory damages of

\$10,000.00 and enhanced damages in the amount of \$20,000.00 pursuant to 47 U.S.C. §605(e)(3)(C)(i)(II); and (2) statutory damages of \$5,000.00 and enhanced damages in the amount of \$10,000.00 pursuant to 47 U.S.C. §553(c)(3)(A)(ii).

III. FEES AND COSTS

Pursuant to 47 U.S.C. §605(e)(3)(B)(iii) and § 553(c)(2)(C), an award of fees and costs is appropriate. Plaintiff has provided the Court with documentary evidence and affidavit testimony (Doc. 25-2) supporting an award of \$1,800.00 in fees and \$508.00 in costs.

IV. CONCLUSION

Therefore, the Court finds that no further hearing as to the amount of damages, fees, and costs is necessary. Accordingly, Plaintiff's Motion for Default Judgment (Doc. 25) is **GRANTED**. It is hereby **ORDERED AND ADJUDGED that JUDGMENT** be entered against Defendant Darris Storms Individually and as the alter ego of Tipsys on Colerain, in favor of J & J Sports Productions, Inc., as follows:

- a. 47 U.S.C. 605 (e)(3)(C)(i) and (C)(iii): \$ 30,000.00
- b. 47 U.S.C. 553 (c)(3)(A)(ii) and (c)(3)(B) \$ 15,000.00
- c. Attorneys' Fees \$ 1,800.00
- d. Costs: \$ 508.00

Accordingly, **JUDGMENT IS ENTERED** in accordance with the foregoing in the sum of **\$47,308.00**, plus interest at the rate of **4%** from date of judgment.

s/ Michael R. Barrett

HON. MICHAEL R. BARRETT
UNITED STATES DISTRICT JUDGE